

who has distinguished himself or herself by exceptionally meritorious conduct in the performance of outstanding services and achievement.

(a) *Criteria for members of Armed Forces of the United States.* The performance must have been such as to merit recognition of key individuals for service rendered in a clearly exceptional manner. Performance of duties normal to the grade, branch, specialty, or assignment, and experience of an individual is not an adequate basis for this award.

(b) For service not related to actual war, the term "key individuals" applies to a narrower range of positions than in time of war and requires evidence of significant achievement. In peacetime, service should be in the nature of a special requirement or of an extremely difficult duty performed in an unprecedented and clearly exceptional manner. However, justification of the award may accrue by virtue of exceptionally meritorious service in a succession of important positions.

(c) Awards will be made without reference to degree.

(d) *Criteria for members of the Armed Forces of foreign nations.* The LM in the degrees described below, may be awarded to foreign military personnel who distinguish themselves by "exceptional meritorious conduct in performance of outstanding service" to the United States in accordance with Executive Order (E.O.) 9260.

(e) The LM awarded to members of the Armed Forces of foreign nations is awarded in the following degrees:

(1) Chief Commander: A domed five-pointed American white star plaque of heraldic form bordered in purplish-red enamel $2\frac{5}{16}$ inches circumscribing diameter with 13 white stars on a blue field emerging from a circle of clouds; backing the star, a laurel wreath with pierced, crossed arrows pointing outward between each arm of the star and the wreath. The reverse is engraved with the words "United States of America."

(2) Commander: A five-pointed American white star of heraldic form bordered in purplish-red enamel $2\frac{1}{4}$ inches circumscribing diameter with 13 white stars on a blue field emerging from a circle of clouds; backing the star, a

laurel wreath with pierced, crossed arrows pointing outward between each arm of the star and the wreath. A bronze wreath connects an oval suspension ring to a neck ribbon. The reverse of the five-pointed star is enameled in white bordered in purplish-red enamel; in the center is a disk surrounded by the words "Annuity Coeptis" and "MDCCLXXXII," and on the scroll are the words "United States of America." The moired silk neck ribbon is $2\frac{1}{4}$ inches in length and $1\frac{5}{16}$ inches in width composed of a bank of purplish-red ($1\frac{3}{16}$ -inches) with edges of white ($\frac{1}{16}$ -inch).

(3) Officer: A five-pointed American white star of heraldic form bordered in purplish-red enamel $1\frac{7}{8}$ inches circumscribing diameter with 13 white stars on a blue field emerging from a circle of clouds; backing the star, a laurel wreath with modeled, crossed arrows pointing outward between each arm of the star and the wreath, and an all-bronze device of the same design as the pendant $\frac{3}{4}$ inch in diameter on the center of the suspension ribbon. On the reverse is a disk surrounded by the words "Annuity Coeptis" and "MDCCLXXXII," and on the scroll are the words "United States of America." The pendant is suspended by a moired silk ribbon $1\frac{7}{8}$ inches in length and $1\frac{3}{8}$ inches in width, composed of a bank of purplish-red ($1\frac{1}{4}$ -inches) with edges of white ($\frac{1}{16}$ -inch).

(4) Legionnaire: Same as prescribed in paragraph (e)(3) of this section, except the all-bronze device is not worn on the ribbon. (Sec. 1121, 70A Stat. 88; 10 U.S.C. 1121, E.O. 9260, October 29, 1942, 7 FR 8819, 3 CFR, 1943 Cum. Supp.)

§ 578.14 Distinguished Flying Cross.

(a) *Criteria.* The Distinguished Flying Cross was established by Act of Congress July 2, 1926, (10 U.S.C. 3749). It is awarded to any person who, while serving in any capacity with the Army of the United States, distinguished himself or herself by heroism or extraordinary achievement while participating in aerial flight. The performance of the act of heroism must be evidenced by voluntary action above and beyond the call of duty. The extraordinary achievement must have resulted in an accomplishment so exceptional

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and outstanding as to clearly set the individual apart from his comrades, or from other persons in similar circumstances. Awards will be made only to recognize single acts of heroism or extraordinary achievement and will not be made in recognition of sustained operational activities against an armed enemy.

(b) *Description.* On a bronze $1\frac{1}{2}$ -inch cross pattee, a four-bladed propeller $1\frac{1}{16}$ inches across the blades; in the re-entrant angles, rays forming a 1-inch square. The cross is suspended by a plain, straight link from a moired silk ribbon $1\frac{3}{8}$ inches in length and $1\frac{3}{8}$ inches in width, composed of stripes of blue ($\frac{7}{64}$ -inch), white ($\frac{9}{64}$ -inch), blue ($\frac{1}{32}$ -inch), white ($\frac{3}{64}$ -inch), red ($\frac{3}{32}$ -inch), white ($\frac{3}{64}$ -inch), blue ($\frac{1}{32}$ -inch), white ($\frac{9}{64}$ -inch), and blue ($\frac{7}{64}$ -inch). (Sec. 3749, 70A Stat. 217; 10 U.S.C. 3749, E.O. 4601, March 1, 1927, as amended by E.O. 7786, January 8, 1938, 3 FR 39.)

§ 578.15 Soldier's Medal.

(a) *Criteria.* The Soldier's Medal was established by Act of Congress July 2, 1926 (10 U.S.C. 3750). It is awarded to any person of the Armed Forces of the United States or of a friendly foreign nation who, while serving in any capacity with the Army of the United States, including Reserve Component soldiers not serving in a duty status, as defined in 10 U.S.C. 101(d), at the time of the heroic act, who distinguished himself or herself by heroism not involving actual conflict with an enemy. The same degree of heroism is required as that for an award of the Distinguished Flying Cross. The performance must have involved personal hazard or danger and the voluntary risk of life under conditions not involving conflict with an armed enemy. Awards will not be made solely on the basis of having saved a life.

(b) *Description.* On a $1\frac{3}{8}$ -inch bronze octagon, an eagle displayed, standing on a fasces, between two groups of stars of six and seven, above the group of six a spray of leaves. On the reverse is a shield paly of 13 pieces on the chief, the letters "U.S." supported by sprays of laurel and oak, around the upper edge the inscription "Soldier's Medal," and across the face the words "For Valor." The medal is suspended

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by a rectangular-shaped metal loop with corners rounded from a moired silk ribbon $1\frac{3}{8}$ inches in length and $1\frac{3}{8}$ inches in width, composed of two outside stripes of blue ($\frac{3}{8}$ -inch), the center containing 13 white and red stripes of equal width (7 white and 6 red). (Sec. 3750, 70A Stat. 217; 10 U.S.C. 3750.)

§ 578.16 Bronze Star Medal.

(a) *Criteria.* The Bronze Star Medal was established by Executive Order 9419, February 4, 1944 (superseded by E.O. 11046, August 24, 1962 and amended by 10 U.S.C. 1133). It is awarded to any person who, while serving in any capacity in or with the Army of the United States after December 7, 1941, distinguished himself or herself by heroic or meritorious achievement or service, not involving participation in aerial flight, in connection with military operations against an armed enemy; or while engaged in military operations involving conflict with an opposing armed force in which the United States is not a belligerent party. Per 10 U.S.C. 1133, award of the Bronze Star Medal is limited to members of the Armed Forces of the United States who receive imminent danger pay.

(1) *Heroism.* Awards may be made for acts of heroism, performed under circumstances described above, which are of lesser degree than required for the award of the Silver Star.

(2) *Meritorious achievement and service.* Awards may be made to recognize single acts of merit and meritorious service. The lesser degree than that required for the award of the LM, must nevertheless have been meritorious and accomplished with distinction.

(3) Awards may be made, by letter application to NPRC, 9700 Page Avenue, St. Louis, MO 63132-5100 (Soldiers who retired or were discharged after October 1, 2002 should send their requests to the Commander, U.S. Army Human Resources Command, St. Louis, ATTN: AHRC-CC-B, 1 Reserve Way, St. Louis, MO 63132-5200), enclosing documentary evidence, if possible, to each member of the Armed Forces of the United States who, after December 6, 1941, has been cited in orders or awarded a certificate for exemplary conduct in ground combat against an armed enemy between December 7, 1941